IN THE HIGH COURT OF JUDICATURE AT BOMBAY

O.O.C.J.

CONTEMPT PETITION NO.114 OF 2006

IN

WRIT PETITION NO.1517 OF 2005

...

Venkatesh R. Lakka ...Petitioner

v/s.

Union of India & Ors. ...Respondents

...

Mr.S.G. Pillai for the Petitioner.

Ms.Ritu Singh for the Respondents.

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CORAM: D.K.DESHMUKH, J.

DATED: 18TH JANUARY,2007

P.C.:

1. This is one more petition where the litigant is

guilty of abusing the process of the court. A serious and grave allegation that the Respondents have willfully violated and disobeyed the order made by this court has been lightly made without there being any iota of ground for making that allegation.

2. The Petitioner in the petition claims that the Respondents are guilty of contempt of this court, because they have not implemented the order dated 23-11-2005 passed in Writ Petition No.1527 of 2005. It appears from the record that the Petitioner had filed proceedings before the Central Administrative Tribunal. The Central Administrative Tribunal made an order in their favour. That order was challenged before this court in Writ Petition No.1517 of 2005. For the reasons disclosed in the order dated 23-11-2005 this court declined to entertain the petition. There is no order made by this court which is capable of being implemented or which can be disobeyed by anybody, still the allegation is made that the order made by this court is disobeyed. So far as disobedience of the order made by the Central Administrative Tribunal is concerned, that remedy is always open to the Petitioner. Proceedings for that will not lie here.

2. The learned Counsel appearing for the Petitioner is not able to give any justification for filing this petition on a serious allegation that the Respondents have willfully disobeyed the order made by this court. Petition is, therefore, liable to be rejected, at the same time because the Petitioner has unnecessarily filed this petition, he has to be saddled with costs. Petitioner is directed to pay Rs.10,000/- as costs of this petition to the Respondent.

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